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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/819,020	03/27/2001	Bradley R. Schaefer	IRI05428	9727
22863	7590	07/29/2005	EXAMINER	
MOTOROLA, INC. 1303 EAST ALGONQUIN ROAD 1L01/3RD SCHAUMBURG, IL 60196			WONG, BLANCHE	
			ART UNIT	PAPER NUMBER
			2667	

DATE MAILED: 07/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/819,020

Applicant(s)

SCHAEFER ET AL.

Examiner

Blanche Wong

Art Unit

2667

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4, 10, 12 and 16-20 is/are rejected.
- 7) ☒ Claim(s) 3, 5-9, 11 and 13-15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date Feb'05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1,4,10,12,16,19,20** are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Maes (Pub. No. US2002/0184373).

With regard to cl. 1,10,16, Maes discloses a method for a voice over internet protocol conference bridge (conversational networking) among a plurality of user terminals (endpoints; server and client; source and receiver) comprising the steps of:

originating an internet protocol call (conversational coding protocol, para. [0108]) using session initiation protocol (SIP)(SIP/SDP/SPAP over SIP, para. [0139]) among the plurality of user terminal;

negotiating (negotiate to determine compatible settings, para. [0142])(SIP invites are used to create sessions carry session descriptions that allow participants to agree on a set of compatible media type, RTF 3261) by the plurality of user terminals (endpoints, source and receiver, para. [0142]) a common bearer format (conversational codec, para. [0094])(multiple conversational codecs, para. [0142]) (see also the codec header field is included as RTP header extension, para. [0139] and SIP is not a

vertically integrated communications system and is rather a component of an architecture that includes protocol such as RTP, RFC 3261) among the plurality of user terminals via SIP (SIP/SDP/SPAP over SIP, para. [0139]); and

coupling (communication links can be established, para. [0142]) a data input/output of each of the plurality of user terminals to a conference bridge (conversational coding protocols, para. [0108], for conversational networking).

With regard to cl. 4 and 12, it is inherent in the step of negotiating that there is the step of determining whether the plurality of user terminals support multiple bearer formats (conversational codec, para. [0094])(multiple conversational codecs, para. [0142]).

With regard to cl. 19, Maes further discloses internet protocol (TCP/IP, para. [0091]) coupling among the plurality of user terminals.

With regard to cl. 20, Maes discloses (in conversational networking) internet protocol (TCP/IP, para. [0091]) using session initiation protocol (SIP/SDP/SPAP over SIP, para. [0139]) coupling among each of the plurality of user terminals.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claim 2** is rejected under 35 U.S.C. 103(a) as being unpatentable over Maes in view of Holden (U.S. Pat No. 6,771,639).

With regard to cl. 2, Maes discloses the method for voice over internet protocol conference bridge as claimed in cl. 1. However, Maes fails to explicitly show coupling the plurality of user terminals to a packet switched conference bridge.

In an analogous art, Holden discloses among SIP systems, there is a packet-switched data network 12 in Fig. 1 (see also col. 3, ln. 39-40).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include a packet switched network for a packet switched conference bridge. The suggestion/motivation for doing so would have been to link various types of network elements because packet-based data network are widely used to do so. Holden, col. 1, ln. 11-12. Therefore, it would have been obvious to combine Holden with Maes for the benefit of a packet switched data network, to obtain the invention as specified in cl. 2.

5. **Claims 17 and 18** are rejected under 35 U.S.C. 103(a) as being unpatentable over Maes in view of of Dorenbosch (U.S. Pat No. 6,697,614).

With regard to cl. 17, Maes discloses a conference bridge apparatus as claimed in cl. 16. However, Maes fails to explicitly show a mobile hand set.

In an analogous art, Dorenbosch discloses mobile devices 201-204 in Fig. 1.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include mobile devices. The suggestion/motivation to do so would have been to provide for a centralized entity that hears all participants. Dorenbosch, col. 1, ln. 28-29. Therefore, it would have been obvious to combine Dorenbosh with Maes to obtain the invention as specified in cl. 17.

With regard to cl. 18, Maes discloses a conference bridge apparatus as claimed in cl. 16. However, Maes fails to explicitly show a hard-wired processor.

In an analogous art, Dorenbosch discloses a processor 104 in Fig. 1.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include a processor. The suggestion/motivation to do so would have been to provide for a distributed arbitration of a right to speak among a plurality of devices participating in a real-time voice conference through a packet-based data network. Dorenbosch, col. 1, ln. 12-14. Therefore, it would have been obvious to combine Dorenbosh with Maes to obtain the invention as specified in cl. 18.

Allowable Subject Matter

6. Claim 3,5-9,11,13-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blanche Wong whose telephone number is 571-272-3177. The examiner can normally be reached on Monday through Friday, 830am to 530pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi H. Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BW

BW

July 27, 2005


CHI PHAM

SUPERVISORY PATENT EXAMINEE
TECHNOLOGY CENTER 2667

7/28/05